

Senator Scott D. Sandall proposes the following substitute bill:

LICENSE PLATE POSITION AMENDMENTS

2020 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Scott D. Sandall

House Sponsor: _____

LONG TITLE

General Description:

This bill removes the provision classifying as a secondary offense an individual's failure to display a front license plate, making it a primary offense.

Highlighted Provisions:

This bill:

- ▶ removes the provision classifying as a secondary offense an individual's failure to display a front license plate, making it a primary offense;
- ▶ allows an individual to avoid paying a fine for failure to properly display a license plate if within 30 days of the date of the citation the individual properly installs the license plates; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

41-1a-404, as last amended by Laws of Utah 2015, Chapters 81 and 412



27 *Be it enacted by the Legislature of the state of Utah:*

28 Section 1. Section **41-1a-404** is amended to read:

29 **41-1a-404. Location and position of plates -- Visibility of plates -- Exceptions.**

30 (1) License plates issued for a vehicle other than a motorcycle, trailer, or semitrailer
31 shall be attached to the vehicle, one in the front and the other in the rear.

32 (2) The license plate issued for a motorcycle, trailer, or semitrailer shall be attached to
33 the rear of the motorcycle, trailer, or semitrailer.

34 (3) Except as provided in Subsection [~~(5)~~] (4), a license plate shall at all times be:

35 (a) securely fastened:

36 (i) in a horizontal position to the vehicle for which it is issued to prevent the plate from
37 swinging;

38 (ii) at a height of not less than 12 inches from the ground, measuring from the bottom of
39 the plate; and

40 (iii) in a place and position to be clearly visible; and

41 (b) maintained:

42 (i) free from foreign materials; and

43 (ii) in a condition to be clearly legible.

44 [~~(4) Enforcement by a state or local law enforcement officer of the requirement under~~
45 ~~Subsection (1) to attach a license plate to the front of a vehicle shall be only as a secondary~~
46 ~~action when the vehicle has been detained for a suspected violation by any person in the vehicle~~
47 ~~of Title 41, Motor Vehicles, other than the requirement under Subsection (1) to attach a license~~
48 ~~plate to the front of the vehicle, or for another offense.]~~

49 [~~(5)~~] (4) The provisions of Subsections (3)(a)(iii) and (3)(b) do not apply to a license
50 plate that is obscured exclusively by one or more of the following devices or by the cargo the
51 device is carrying, if the device is installed according to manufacturer specifications or
52 generally accepted installation practices:

53 (a) a trailer hitch;

54 (b) a wheelchair lift or wheelchair carrier;

55 (c) a trailer being towed by the vehicle;

56 (d) a bicycle rack, ski rack, or luggage rack; or

57 (e) a similar cargo carrying device.

58 [~~(6) A violation of this section is an infraction.~~]

59 (5) (a) Except as provided in Subsection (5)(b), a violation of this section is an
60 infraction.

61 (b) An owner or driver of a vehicle is not guilty of an infraction and is not required to
62 pay a fine for a violation of this section if within 30 days of the date of the citation the individual
63 provides evidence that the license plate or plates have been properly installed.